

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DAMON E. WALKER,

Plaintiff,

vs.

CPL. SCHOEN,

Defendant.

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4:06cv3029

ORDER

This matter is before the court on filing no. 8, the Motion for Extension of Time filed by the plaintiff, Damon E. Walker. The plaintiff requested additional time to serve process on the defendant and to respond to the Order to Show Cause (filing no. 7) issued by the court after the original deadline for service of process had expired. In filing no. 8, the plaintiff explained that he had been "out to court" in Kansas for a prolonged period during which he was not receiving mail and had no access to legal materials. Subsequently, the plaintiff has responded (filing no. 11), and a summons has been returned executed on the defendant (filing no. 12). Therefore, filing no. 8, the plaintiff's Motion for Extension of Time to serve the defendant and to respond to the Order to Show Cause, is retroactively granted. The defendant shall now answer or otherwise respond to the plaintiff's complaint.

SO ORDERED.

DATED this 29<sup>th</sup> day of January, 2007.

BY THE COURT:

s/ F. A. GOSSETT  
United States Magistrate Judge